

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN**

CINDY HALABURDA, individually and on behalf of all others similarly situated,

Plaintiff,

v.

BAUER PUBLISHING CO., LP, a Delaware partnership,

Defendant.

Case No. 1:12-cv-12831-TLL-CEB

**STIPULATION TO WITHDRAW
PLAINTIFF'S MOTION FOR CLASS
CERTIFICATION**

[Hon. Thomas L. Ludington]

This Stipulation is entered into by and among Plaintiff Cindy Halaburda ("Plaintiff") and Defendant Bauer Publishing Co., LP ("Defendant"), by and through their respective counsel.

WHEREAS, Plaintiff filed the amended complaint in this case on August 23, 2012 (the "Amended Complaint"). (Dkt. No. 9);

WHEREAS, at the time she filed her Amended Complaint, Plaintiff also filed a motion for class certification requesting, among other things, that the Court reserve ruling on the issue of class certification until after the Parties have had a sufficient opportunity to commence and complete discovery related to requirements of Fed. R. Civ. P. 23 for maintaining this action as a class action. (Dkt. No. 10.)

WHEREAS, hearing on Plaintiff's Motion for Class Certification is set for November 14, 2012 at 2:00 p.m. (Dkt. No. 13);

WHEREAS, Plaintiff conferred with Defendant and agreed to withdraw Plaintiff's pending Motion for Class Certification; and

WHEREAS, the Parties respectfully request that the Court vacate the November 14, 2012 hearing as it is no longer necessary.

NOW THEREFORE, the Parties stipulate as follows:

1. Plaintiff withdraws her pending motion for class certification; and
2. The November 14, 2012 motion hearing is vacated.

IT IS SO STIPULATED.

Respectfully submitted,

Dated: September 11, 2012

Cindy Halaburda, individually and on behalf of all other similarly situated,

By: /s/ Ari J. Scharg
One of Plaintiff's Attorneys

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Counsel for Plaintiff Halaburda and the putative class

Dated: September 11, 2012

Bauer Publishing Co., LP

By: /s/ Herschel P. Fink
One of Defendant's Attorneys

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